

## INFORMATION DISCLOSURE STATEMENT

Applicant : Weber, Eckard, et al.  
App. No : 10/828,795  
Filed : April 21, 2004  
For : COMPOSITIONS FOR AFFECTING  
WEIGHT LOSS  
Examiner : Kwon, Brian Yong S.  
Art Unit : 1614

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 21 references to be considered by the Examiner. Also enclosed are 12 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

This Information Disclosure Statement is being filed after the mailing date of a final action and before the mailing of a Notice of Allowance. The Commissioner is hereby authorized to charge the fees set forth in 37 C.F.R. § 1.17(p) and any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 7, 2007

By: Joseph J. Mallon  
Joseph J. Mallon  
Registration No. 39,287  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> | Application No.      | 10/828,795            |
|  | Filing Date          | April 21, 2004        |
|  | First Named Inventor | Weber, Eckard, et al. |
|  | Art Unit             | 1614                  |
| (Multiple sheets used when necessary)                    | Examiner             | Kwon, Brian Yong S.   |
| SHEET 1 OF 2   | Attorney Docket No.  | OREX.001A             |

## U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. | Document Number<br>Number - Kind Code (if known)<br>Example: 1,234,567 B1 | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant | Pages, Columns, Lines Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-------------------|----------|---|--------------------------------|-------------------------------|--|
|                   | 1        | 4,855,306   | 08-08-1989                     | Markstein, et al.             |  |
|                   | 2        | 6,048,322   | 04-11-2000                     | Kushida                       |  |
|                   | 3        | 6,248,363   | 06-19-2001                     | Mahesh, et al.                |  |
|                   | 4        | 6,274,579   | 08-14-2001                     | Morgan et al.                 |  |
|                   | 5        | 6,686,337   | 02-03-2004                     | Gregory S. Connor             |  |
|                   | 6        | 6,905,708   | 06-14-2005                     | Li, et al.                    |  |
|                   | 7        | 7,109,198   | 09-19-2006                     | Gadde, et al.                 |  |
|                   | 8        | 2002-0025972  | 2/28/2002                      | Hintz, Martin C.              |  |
|                   | 9        | 2002-0037836  | 03-28-2002                     | Henriksen                     |  |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. | Foreign Patent Document<br>Country Code-Number-Kind Code<br>Example: JP 1234567 A1 | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant        | Pages, Columns, Lines<br>Where Relevant Passages or<br>Relevant Figures Appear | T <sup>1</sup> |
|-------------------|----------|--|--------------------------------|--------------------------------------|--|----------------|
|                   | 10       | WO 90/13294  | 11-15-1990                     | Whitby Research, Inc.                |  |                |
|                   | 11       | WO 04/050020   | 06-17-2004                     | Simon                                |  |                |
|                   | 12       | WO 04/110368   | 12-23-2004                     | Merck & Co.                          |  |                |
|                   | 13       | WO 04/110375   | 12-23-2004                     | Merck & Co.                          |  |                |
|                   | 14       | WO 05/000217   | 01-06-2005                     | Merck & Co.                          |  |                |
|                   | 15       | RU 2214241 (English Abstract)  | 06-28-1996                     | Orto-MakneJL Farmas'<br>Jutikal, Ink |  |                |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>1</sup> |
|-------------------|----------|---|----------------|
|                   | 16       | Berke, et al., "Medical Management of Obesity", American Academy of Family Physicians, 2000 Jul 15;62(2):419-26 ABSTRACT  |                |
|                   | 17       | FUKAGAWA et al., "Monoaminergic anorectic agents", Nippon Yikurigaku Zasshi, 2001 Nov;118(5):303-8, 2001 ABSTRACT   |                |
|                   | 18       | Gehlert D.R., et al., "The Selective Norepinephrine Reuptake Inhibitor, LY368975, Reduces Food Consumption in Animal Models of Feeding", J. Pharmacology and Experimental Therapeutics 1998 Oct;287(1):122-7 ABSTRACT   |                |
|                   | 19       | Kanba et al., Progress in Neuro-Psychopharmacology and Biological Psychiatry, 18(4), 707-715 (1994)   |                |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

**\*Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.

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|                                 | 20       | Michelson, et al., "Atomoxetine in the Treatment of Children and Adolescents with Attention Deficit/Hyperactivity Disorder: A Randomized, Placebo-Controlled, Dose-Response Study", Pediatrics 2001 Nov;108(5):E83 ABSTRACT                                     |                |
|                                 | 21       | Tollefson, et al., Am J. Psychiatry, 154(5), 457-465 (1997)   |                |

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|---|-----------------|
| Examiner Signature  | Date Considered |
| <p><b>*Examiner:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> |                 |

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